

ORDINANCE NO. 1541

AN URGENCY ORDINANCE ~~OF~~ THE LODI CITY COUNCIL  
AMENDING LODI MUNICIPAL CODE CHAPTER 13.08 -  
"WATER SERVICE"

=====

BE IT ORDAINED BY THE LODI CITY COUNCIL AS FOLLOWS:

SECTION 1. Lodi Municipal Code Chapter 13.08, Article I is hereby amended to read as follows:

Chapter **13.08**, WATER SERVICE

Sections:

Article I. Generally

- |           |                                       |
|-----------|---------------------------------------|
| 13.08.010 | Setting of rates.                     |
| 13.08.020 | Rates outside city.                   |
| 13.08.030 | Rates by contract.                    |
| 13.08.040 | Commencement and end of charges.      |
| 13.08.050 | Metered service.                      |
| 13.08.060 | Turning off during fires/emergencies. |
| 13.08.070 | Billing adjustment.                   |

Article I. Generally

**13.08.010** Setting of rates.

The schedule of water rates will be those established and adopted by the city council from time to time by resolution. (Ord. 1541 § 1, 1991)

**13.08.020** Rates outside city.

The city will not normally serve water outside the city limits. In those cases where it is authorized by the city council, the rate shall be 150% of the rate for service inside the city limits. (Ord. 1541 § 1, 1991; prior code § 26-2)

**13.08.030** Rates by contract.

In cases not provided for by this chapter, the rate may be fixed by special contract, as agreed upon by the director of finance and public works director on behalf of the city, and the water user involved. If such rates cannot be agreed upon, the city council shall fix and determine proper rates, and such determination shall be final. (Ord. 1333 § 1(9)(J), 1984; prior code § 26-3)

**13.08.040 Commencement and end of charges.**

Water charges shall in all cases commence to accrue when water is turned on, at rates proportioned for the period from that date until the following last day of the billing period, as may be established by the city. (Prior code § 26-4)

**13.08.050 Metered service.**

A. Meters will be required on all new residential, commercial, and industrial water services covered by the following conditions:

1. All new property annexations to the City requesting City water service.
2. All existing parcels which have had no previous City water service and City water service is requested.
3. When a parcel is split, water services to all parcels will be metered.
4. All parcels at which a single family dwelling(s) is being replaced by multiple family units or a non-residential use.
5. At all parcels where off site improvements are required
6. When any water customer requests water service upsizing or relocating.

B. Metered water service shall be installed on all existing commercial and industrial users ~~or~~ when the public works director determines the installation of metered water service to be in the best interest of the city.

C. Meters on existing commercial and industrial water services not covered under "A" above shall be installed by the city at the city's expense. Meters on all new water services and those covered in "A" above shall be installed by the city, but shall be paid for by the user. (Ord. 1541 § 1, 1991: prior code § 2 53)

**13.08.060 Turning off during fires/emergencies.**

In the case of fire or other emergency, when directed by the city all faucets, taps or other means of letting water run shall be turned off immediately by every owner or occupant and not opened until the fire is extinguished or the emergency resolved. (Ord. 1541 § 1, 1991: prior code § 2-47)

**13.08.070 Billing Adjustments**

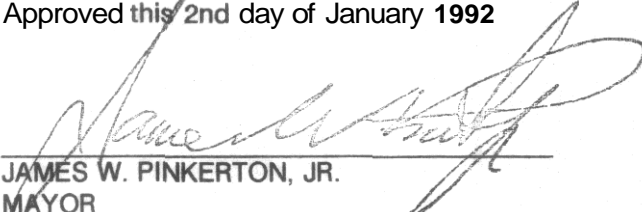
When it is found that any charges for water service, connections, Installations, abandonments, etc., have been incorrectly billed or that no billing has occurred, the city has the right to make adjustments as determined by the public works director. Billings for undercharges or credits for overcharges shall be subject to the three year limitation period found in the California Code of Civil Procedure, Section 338. (Ord. 1541 § 1, 1991)

SECTION 2. All ordinances and parts of ordinances in conflict herewith are repealed insofar as such conflict may exist.


SECTION 3. This is an emergency ordinance implementing a State-mandated program.

SECTION 4. This urgency ordinance shall be published one time in the "Lodi News Sentinel", a daily newspaper of general circulation printed and published in the City of Lodi and shall be in force and take effect immediately.

Approved this 2nd day of January 1992

  
JAMES W. PINKERTON, JR.  
MAYOR

Attest:

  
Alice M. Reimche  
City Clerk

State of California  
County of San Joaquin, ss.

I, Alice M. Reimche, City Clerk of the City of Lodi, do hereby certify that Ordinance No. 1541 was adopted as an urgency ordinance at a regular meeting of the City Council of the City of Lodi held January 2, 1992 and was thereafter passed, adopted and ordered to print by the following vote:

Ayes:	Council Members -	Hinchman, Pennino, Sieglock, Snider and Pinkerton (Mayor)
Noes:	Council Members -	None
Absent:	Council Members -	None
Abstain:	Council Members -	None

I further certify that Ordinance No. 1541 was approved and signed by the Mayor on the date of its passage and the same has been published pursuant to law.

  
ALICE M. REIMCHE  
City Clerk

Approved as to Form

  
BOBBY W. McNATT  
City Attorney

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